



KINGSPRY

December 18, 2018

JEROME B. FRANK
DONALD F. SPRY II
KIRBY G. UPRIGHT, LLM, CPA
KENT H. HERMAN
TERENCE L. FAUL
JOHN E. FREUND, III
JEFFREY T. TUCKER
NICHOLAS NOEL, III
GLENNNA M. HAZELTINE*
ALAN B. BATTISTI
KEVIN C. REID*
PAUL S. FRANK
BRIAN J. TAYLOR**
MICHAEL A. GAUL
ELLEN C. SCHURDAK
KRISTINE RODDICK
REBECCA A. YOUNG
DOROTA GASIENICA-KOZAK
TIMOTHY E. GILSBACH*
JESSICA F. MOYER
MATTHEW T. TRANTER*
AVERY E. SMITH*
KEELY J. COLLINS
KARLEY BIGGS SEBIA*
JONATHAN M. HUERTA
RYAN K. FIELDS*
WILLIAM J. NOVICK, IV

OF COUNSEL:
E. DRUMMOND KING
DOMENIC P. SBROCCO
JAMES J. RAVELLE, Ph.D., JD.
KATHLEEN CONN, Ph.D., JD., LLM

AFFILIATED WITH:
WEISS BURKARDT KRAMER, LLC
PITTSBURGH, PA 15219

*LICENSED IN PA AND NJ
**LICENSED IN PA AND NY

Joanna Hughes, Chief Executive Officer
Easton Arts Academy Elementary Charter School
30 North 4th Street
Easton, Pennsylvania 18042

Dear Ms. Hughes,

Please forward a copy of this correspondence to your legal counsel.

This office represents the Easton Area School District ("District"). The District asked us to investigate the veracity of community complaints that the District received concerning the Easton Arts Academy Elementary Charter School ("Charter School").¹

Generally speaking, the District has received allegations that the Charter School is not adhering to a consistent policy or procedure with respect to addressing complaints made by certain students and parents. In addition, the community complaints received by the District include allegations that the Charter School is not fulfilling its legal obligations, including the completion of regular fire drills, employee background checks, accurate student attendance reporting, and teacher and administrator certification requirements. The District must perform an investigation of the above complaints, which are believed to have been made in good faith, to "ensure that the charter school is in compliance with its charter and this act and the requirements for testing, civil rights and student health and safety are being met." 24 P.S. § 17-1728-A.

The District requests, pursuant to Section 17-1728-A of the Charter School Law and Paragraph 20 of the Charter, that the Charter School provide the following documents from the time period of November 22, 2016 through the present:

1. Student code of conduct
2. Student handbook
3. Parent handbook
4. Parent complaint policy and/or procedure
5. Bullying policy

¹ Section 17-1728-A of the Charter School Law states as follows: "The local board of school directors shall have ongoing access to the records and facilities of the charter school to ensure that the charter school is in compliance with its charter and this act and that requirements for testing, civil rights and student health and safety are being met."

KING, SPRY, HERMAN, FREUND & FAUL, LLC • ATTORNEYS & COUNSELORS AT LAW
ONE WEST BROAD STREET • SUITE 700 • BETHLEHEM, PA 18018 • TEL: 610-332-0390 • FAX: 610-332-0314

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Joanna Hughes, CEO

December 18, 2018

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6. Harassment policy
7. Student attendance policy
8. Visitors' policy (or another policy applicable to a parent wishing to visit his or her child's classroom)
9. Any and all written complaints made to the CEO and/or Board of Trustees, including but not limited to complaints made by the parent(s) of formerly or presently enrolled students
10. Employee handbook(s)
11. A copy of the resume of Charter School administrators
12. The building principal's name and certification(s)
13. A complete list of all current staff including their position title and start date
14. Copies of all teacher and substitute teacher certifications
15. Fire drill procedures and a list of dates where lock down drills were held
16. A copy of all employee criminal background checks, Act 168 forms, and Act 24 PDE 6004 form.
17. Pennsylvania Information Management System ("PIMS") reports "student template" submitted to PDE by October 1st each year.

Any documents containing student names should be redacted.

In addition to the above, we would like to meet with you to discuss the complaints that were received, notwithstanding the identity of the complainants, in order to obtain a response from the Charter School in furtherance of our complete investigation. Please contact me or have your attorney contact me to schedule a mutually agreeable time.

Please do not hesitate to let me know if you have any questions concerning the above.

Very truly yours,

KING, SPRY, HERMAN,
FREUND & FAUL, LLC,



Keely J. Collins, Esquire
kcollins@kingspry.com

KJC/kr

cc: John Reinhart, Superintendent
John E. Freund, III, Esquire



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February 19, 2019

JEROME B. FRANK
DONALD F. SPRY II
KIRBY G. UPRIGHT, LLM, CPA
KENT H. HERMAN
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JOHN E. FREUND, III
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JONATHAN M. HUERTA
RYAN K. FIELDS*
WILLIAM J. NOVICK, IV*

Kathleen Byrne, Esquire
433 W. Market Street
Suite 200
West Chester, PA 19382

Re: Easton Arts Academy Elementary Charter School

Dear Attorney Byrne,

Thank you for discussing the above with me. As you know, this office represents the Easton Area School District.

As discussed, a complaint was filed against the Charter School in the Northampton County Court of Common Pleas. Because of allegations concerning compliance with state and federal law, Section 17-1728-A of the Charter School Law compels that we access relevant documents and information to ensure that the Charter School is in legal compliance. Therefore, pursuant to the Charter School Law and Paragraph 20 of the Charter, we request that the Charter School provide the following documents from the time period of November 22, 2016 through the present:

1. The name of the building principal of the Charter School from December 2017 through March 2018 and a copy of his/her state certifications;
2. Sign in sheets for teacher trainings and meetings required under Act 48;
3. Any internal policies, procedures, or guidelines concerning the reporting of grades in Power School;
4. A copy of letters sent to parents/guardians regarding truancy and the Charter School's truancy policy;
5. Any written complaints submitted by the School Nurse with regard to Charter School health protocols;
6. Any risk assessments on students;
7. A copy of the Charter School's Whistleblower Policy;
8. IEPs;
9. Billing records for related services;
10. Progress monitoring reports;
11. Nursing records regarding diabetic protocols;
12. 504 plan/health plan/IEP for all students diagnosed with diabetes;
13. Resumes and Certifications of any and all teachers providing special education services;
14. Resumes and Certifications of any and all employees providing related services, including OT, PT, speech services, counseling and/or social skills instruction;

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Kathleen Byrne, Esquire
February 19, 2019
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15. Any and all contracts with any third party provider providing special education services and/or related services;
16. The Charter School's Special Education Plan;
17. Resume and Certifications of the school nurse;
18. Procedures and policies for responding to medical emergencies;
19. Any and all accident or incident reports for any student emergency involving an allergic reaction;
20. Audit/compliance monitoring documents from PDE and any corrective action that PDE may have required;
21. The annual report required by 17-1728-A, which is required to include certain designated special education information;
22. Documentation of special education payments required by 17-1725-A)(a)(3) made by school district of residences;
23. Any redacted complaints filed with PDE pursuant to 22 Pa. Code 711.10;
24. The Charter Schools Child Find Policy and procedures.

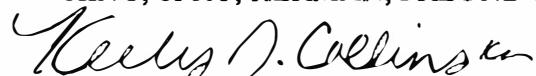
Any documents containing student names should be redacted.

In addition to the above, for your ease of review, attached find a copy of our December 18, 2018 requests. **To date, we have not received any of the documents requested in our letter dated December 18, 2018.** Notwithstanding the seven-day response time agreed to in the parties' charter, nearly 60 days have lapsed since our requests were made. **Please provide us with the documents we requested on or before March 1, 2019.**

As stated in our prior letter to Ms. Hughes, we would like to meet with Ms. Hughes to discuss allegations that have been made against the Charter School, including the allegations raised in the complaint reference above. Please contact me to schedule a mutually agreeable time.

We would like to work with you and your client to conduct an orderly investigation that is minimally disruptive to both parties. Please do not hesitate to let me know if you have any questions concerning the above.

Very truly yours,
KING, SPRY, HERMAN, FREUND & FAUL, LLC



Keely Jac Collins, Esquire
kcollins@kingspry.com

KJC/kr

cc: John Reinhart, Superintendent
John E. Freund, III, Esquire



KINGSPRY

March 21, 2019

JEROME B. FRANK
DONALD F. SPRY II
KIRBY G. UPRIGHT, LLM, CPA
KENT H. HERMAN
TERENCE L. FAUL
JOHN E. FREUND, III
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Kathleen Byrne, Esquire
433 W. Market Street
Suite 200
West Chester, PA 19382

Re: Easton Arts Academy Elementary Charter School

Dear Attorney Byrne:

I am writing as a follow up to discussions you have had with Assistant Solicitor Keely Collins and previous correspondence directed to you, dated February 19, 2019 requesting numerous documents regarding the operation of the Easton Area Charter Arts School. Of particular concern is the lack of response despite the seven day response time agreed to on the parties' charter. Additionally, we would still like to meet with Ms. Hughes to discuss numerous allegations that have been made against the School.

Can you contact me upon receipt of this letter and supply the requested material? Thank you in advance for your cooperation.

Very truly yours,

KING, SPRY, HERMAN,
FREUND & FAUL, LLC

Brian J. Taylor, Esquire
btaylor@kingspry.com

BJT/kr

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ONE WEST BROAD STREET • SUITE 700 • BETHLEHEM, PA 18018 • TEL: 610-332-0390 • FAX: 610-332-0314

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